

CLASSIFICATION OFFICE DECISION

Title of publication: 35.jpg

Other known title(s): Not stated

OFLC ref: 1900418.041

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 30 August 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 30 August 2019

Summary of reasons for decision:

The image file explicitly depicts a man sexually abusing a young girl. It is deemed objectionable because it promotes and supports the exploitation of children for sexual purposes. The image is clearly intended to be sexually arousing to people with a prurient interest in young girls. It presents young girls as sexually available and appropriate subjects for adult sexual gratification, and further encourages and legitimises such an interest. As an image file it can be shared widely among like-minded individuals. The image may also be used for grooming other potential victims of child sexual abuse. The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the right to freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 be deemed objectionable and reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.